

Message Text

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44

ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 CAB-09 CIAE-00 COME-00

DODE-00 EB-11 INR-10 NSAE-00 RSC-01 FAA-00 DOTE-00

AF-10 ARA-16 EA-11 PM-07 H-03 NSC-10 PA-03 PRS-01

SPC-03 SS-15 USIA-15 ACDA-19 IO-13 SY-10 SCA-01

JUSE-00 DRC-01 OIC-04 (ADP) W
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R 161356Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC PRIORITY 0785

INFO AMEMBASSY BEIRUT

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USUN NEW YORK 1712

UNCLAS ROME 9680

E.O. 11652: N/A

TAGS: ICAO, ETRN

SUBJ: ICATO AIR SECURITY CONFERENCE: SIXTEENTH REPORT,
SEPT. 15

MONTREAL FOR US REP ICAO

PLS PASS: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

1. FIRST ONE AND HAFL HOUR OF SATURDAY SESSION DEVOTED TO
CONSIDERATION OF QATAR'S QUESTION IN CONFERENCE COMMISSION
OF WHOLE. QATAR ANNOUNCED IT HAD REPHRASED TO READ:

QTE SHOULD A NEW CONVENTION, IF ANY, INVOLVE THE USE OF ONE OR
MORE ICAO BODIES WITHOUT AN AMENDMENT TO THE CHICAGO CONVENTION?

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END QTE

SRI LANKA SAID THIS A QUESTION OF LAW RATHER THAN PRINCIPLE
AND ICAO LEGAL BUREAU DIRECTOR SHOULD BE ABLE SUPPLY ANSWER.

SINGAPORE AND TRINIDAD AND TOBAGO CONCURRED BUT DIRECTOR SAID
IF CONFERENCE REPLIES TO QUESTION IT WILL NOT BE RESOLVING
LEGAL PROBLEM. FRANCE THOUGHT QUESTION SHOULD READ:

QTE SHOULD THE NEW CONVENTION HAVE TO RESORT TO THE USE OF
ONE OR MORE ICAO BODIES WITHOUT AN AMENDMENT TO THE CHICAGO
CONVENTION? END QTE

AND SAID IT WOULD VOTE NEGATIVELY. AUSTRALIA SAID CONFERENCE
WOULD NOT BE VOTING ON QUESTION OF USE OF ONE OR MORE ICAO BO-
DIES SINCE THIS VOTED ON SEPT. 12, BUT ON INSTRUCTION TO DRAFTING
COMMITTEE THAT NOTHING IT DID SHOULD INVOLVE AMENDMENT CHICAGO
CONVENTION. AUSTRALIA WOULD VOTE AFFIRMATIVELY. SAUDI ARABIA
SUGGESTED CLOSING DEBATE WHICH OPPOSED BY NETHERLANDS. VOTE
ON CLOSURE WAS 37-16-18(US). LEGAL BUREAU DIRECTOR SAID
PROVISIONS OF CHICAGO DO NOT OBLIGE BUT COUNCIL COULD ACCEPT
FUNCTIONS NOT EXPLICITLY CONFERRED ON IT IN CHICAGO. SRI/LANKA,
JAMAICA, INDIA, NORWAY AND JAPAN ASSOCIATED WITH AUSTRALIA.
QATAR REFUSED ACCEPT AUSTRALIAN INTERPRETATION AND SAID IT WOULD
VOTE NEGATIVELY AS DID ZAIRE AND SYRIA. JAMAICA REQUESTED
ROLL-CALL VOTE WHICH WAS 44(US)-26-17.

2. WHEN EXECUTIVE COMMITTEE OF ASSEMBLY MET TO DEAL WITH
UK/SWISS, SUDANESE AND QATARI AMENDMENTS TO ART. 88 OF CHICAGO
CONVENTION, CHAIRMAN DIALLO SAID HE WOULD LIMIT SPEECHES OF
ALL EXCEPT PROPOSERS TO THREE MINUTES AND VOTING WOULD BEGIN
AT 1:00PM. MALTA SUGGESTED, SINCE TRYING TO OBTAIN HIGHEST
POSSIBLE CONSENSUS, ALL THREE PROPOSALS SHOULD BE VOTED ON TO
SEE WHICH GETS HIGHEST NUMBER OF VOTES. CHAIRMAN SAID HE
WOULD FOLLOW RULE 51 ON THIS MATTER AND IT WOULD BE NECESSARY
FOR MALTA TO MAKE ITS ALTERNATIVE MOTION AFTER FIRST VOTE.

3. US SAID IT SUPPORTED UK/SWISS AMENDMENT BECAUSE IT KEEPS
DETERMINATION OF DEFAULT AND ACTION PHASES TOGETHER. IT COULD
NOT SUPPORT SUDANESE PROPOSAL TO USE ASSEMBLY TO DECIDE ON IN-
FRANCTIONS OF CHICAGO SINCE IMPRACTICAL AND UNREALISTIC, ALSO
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VERY CORNERSTONE OF CHICAGO IS AUTHORITY OF COUNCIL TO SETTLE
DISPUTES AND DECIDE ON INFRACTIONS OF CONVENTION. REQUIREMENT
FOR TWO-THIRDS VOTEM OF ASSEMBLY WOULD ONLY WEAKEN EXISTING
PENALTY. RE QATAR PROPOSAL US INQUIRED WHETHER IT INTENDED
DECISION OF COUNCIL BE APPEALABLE TO ICJ AND IF SO SAID IT
WOULD UNNECESSARILY DELAY PROCEEDINGS. ASSEMBLY COULD NOT
EFFECTIVELY MONITOR WHATEVER PENALTY IMPOSED. COULD ASSEMBLY
DECLARE THAT PENALTY WILL BE CONTINUED UNTIL REVERSED BY SUCCES-

SFUL APPEAR TO ICJ?; QATAR ANSWERED TO SATISFACTION OF USDEL.

4. CENTRAL AFRICAN REPUBLIC, CONGO, SENEGAL, BRAZIL, SWEDEN NORWAY, CAMEROON AND BELGIUM SPOKE AGAINST SANCTIONS. ITF, BAHRAIN, NICARAGUA, CANADA, AUSTRIA, JAPAN, TURKEY, NETHERLANDS AND AUSTRALIA SPOKE IN FAVOR UK/SWISS AMENDMENT AS HAD US EARLIER. FRANCE AND USSR SAID WOULD ABSTAIN. TANZANIA REQUESTED ROLL-CALL VOTE WHICH AS FOLLOWS: UK/SWISS PROPOSAL 25(US)-39-18; SUDANESE PROPOSAL 13-51(US)-18 AND QATARI PROPOSAL 17(US)-45-20. STATE ACTION ARTICLE PROPOSED BY FRANCE/SWITZERLAND/UK APPROVED BY STANDING VOTE 46-0-36(US). US HAD POINTED OUT IT UNBALANCE SINCE WOULD NOT HAVE SAME RATIFICATION REQUIREMENTS AS THOSE FOR INCORPORATION OF HAGUE AND MONTREAL CONVENTIONS IN CHICAGO.

5. FRANCE POINTED OUT ASSEMBLY REJECTED PROPOSALS ON AMENDMENT ARTICLES 87 AND 88 SO UNNECESSARY VOTE ON AMENDING ARTICLE 86. VOLPE

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